

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TIMOTHY DIETZ;

Plaintiffs,

vs.

QUALITY LOAN SERVICE CORP. OF
WASHINGTON; et. al.,

Defendants.

No.: 13-05948-RJB

PRAECIPE

TO: Clerk of the Court

TO: All Parties of Record

On September 23, 2014, the undersigned filed and served the Declaration of Sierra Herbert-West [Dkt 48-1] in support of defendants' motion for summary judgment. **Exhibit A** was inadvertently omitted from the declaration. The foregoing deficiency is being corrected with this filing. Defendants apologize for the inconvenience to the Court and parties.

Dated: October 14, 2014

MCCARTHY & HOLTHUS, LLP

/s/ Joseph Ward McIntosh

Joseph Ward McIntosh, WSBA #39470
Attorneys for Quality and M&H

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TIMOTHY DIETZ;

Plaintiffs,

vs.

QUALITY LOAN SERVICE CORP. OF
WASHINGTON; et. al.,

Defendants.

No.: 13-05948-RJB

DECLARATION OF SIERRA-HERBERT
WEST

I, Sierra Herbert-West, declare as follows:

1. I am a Trustee Sales Officer for Quality Loan Service Corporation of Washington (“Quality”). I am over the age of 18 and am competent to make this declaration.

2. In my capacity as Trustee Sales Officer, I have custody and control of the files and records of the non-judicial foreclosure sales performed by Quality. These records are made in the ordinary course of business by people who have a business duty to make such records, and/or are received by Quality in the ordinary course of its business, which includes acting as a trustee in non-judicial foreclosures. Quality’s records are made at or near the time of the occurrence of the event or events that they record.

3. I have personally reviewed Quality’s file pertaining to the non-judicial foreclosure that is the subject of this lawsuit. I am familiar with the documents and other information contained in this file.

4. From August of 2012 to May of 2013, Quality issued three Notices of Sale against the Property. They are found under Cowlitz County Recorder’s Nos. 3462652, 3465768, and 3480408.

Prior to issuing the Notices of Sale, Quality had in its possession the Beneficiary Declaration from

Declaration

Page -1-

MH #WA-14-614695-CV (QLS); WA-14-614702-
CV (MH)

McCarthy & Holthus LLP
108 1st Ave South STE 300
Seattle, WA 98104
PH: (206) 319-9100
FAX: (206) 780-6862

1 Wells Fargo, confirming that Wells Fargo was the “holder” of the Note. A true and correct copy
2 of the Declaration of Beneficiary is attached hereto as **Exhibit A**.

3 5. I declare under the penalty of perjury under the Laws of the State of Washington that the
4 foregoing is true and correct.

5 DATED September 23, 2014

6 QUALITY LOAN SERVICE CORPORATION OF WASHINGTON

7 /s/ Sierra Herbert-West

8 By: Sierra Herbert-West

9 Its: Trustee Sales Office

BENEFICIARY DECLARATION
(NOTE HOLDER)
(Executed by Officer of Beneficiary)

Loan No. [REDACTED]

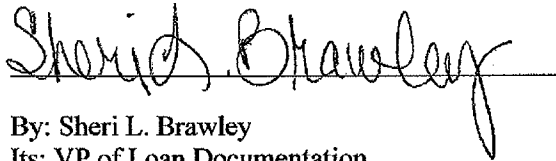
Property Address: 2503 34TH AVENUE
LONGVIEW WA 98632

The undersigned, under penalty of perjury declares as follows:

Wells Fargo Bank, N.A., is the actual holder of the promissory note or other obligation evidencing the above-referenced loan or has requisite authority under RCW 62A.3-301 to enforce said obligation.

The trustee may rely upon the truth and accuracy of the averments made in this declaration.

Dated this 5 day of January, 2012 in Fort Mill, South Carolina.
Wells Fargo Bank, N.A.,

A handwritten signature in black ink, appearing to read "Sheri L. Brawley", is written over a horizontal line.

By: Sheri L. Brawley
Its: VP of Loan Documentation